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Promotion and protection of the rights of children

Protection of children affected by armed conflict

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly, in accordance with section VII (d) of Assembly resolution 57/190 of 18 December 2002, the report prepared by his Special Representative for Children and Armed Conflict.

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Report of the Special Representative of the Secretary-General for Children and Armed Conflict

Summary

The present report reviews progress achieved to date under the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict and proposes a course of action for the next three years.

Progress includes a significant increase in advocacy and awareness; children are now firmly placed on the international peace and security agenda; norms and standards have been strengthened; child protection has been incorporated into peace accords and peacekeeping operations; the agenda has been incorporated by regional organizations; important steps have been taken to develop systematic monitoring and reporting; children are being given increasing priority and are focused upon more in post-conflict programmes; and a major child protection movement has developed among non-governmental organizations (NGOs).

However, the situation for children remains grave and precarious in war zones. The report proposes an agenda for action encompassing the interrelated challenges of embarking on a campaign for the "era of application" and ensuring that the initiatives taken and gains made so far are consolidated and institutionalized.

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 51/77 of 12 December 1996, by which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was created for a period of three years. This mandate followed the Graça Machel report on the impact of armed conflict on children (A/51/306 and Add.1). The Special Representative was appointed by the Secretary-General in October 1997. The General Assembly has since extended the mandate twice. October 2003 marks the end of the second extension and the beginning of the third three-year tranche. Therefore, this is an appropriate juncture to take stock of progress achieved and to propose a course of action for the period ahead.

2. The Special Representative wishes to pay tribute to Member States, United Nations partners, particularly the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Refugees (UNHCR), the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs and international and local NGOs for their critical contribution to the development and progress of this agenda. The Special Representative wishes to express particular appreciation to the following donors for their contributions: Andorra, Belgium, Canada, Denmark, Finland, Germany, Holy See, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, Norway, San Marino, Singapore, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, the United Nations Foundation, as well as the Starr Foundation and the Hewlett Foundation.

3. Since the activities of the mandate have been funded entirely through voluntary contributions, resource instability has adversely affected activities, staff capacity, recruitment and terms of contracts.

II. Progress to date

4. Over the past five years, the Special Representative has developed various activities under the mandate, working together with Governments, the Security Council, United Nations agencies, regional organizations and NGOs. These activities have concentrated on advocacy and awareness-raising, strengthening norms, placing children on the international peace and security agenda, forging collaboration with regional organizations and NGOs, and developing initiatives for mainstreaming the agenda. The collective endeavours have resulted in tangible progress, including a number of milestone achievements, to wit:

- Awareness and advocacy have increased greatly;
- Children have been placed on the international peace and security agenda;
- International norms and standards have been strengthened;
- Important steps have been taken to develop more systematic monitoring and reporting of violations of norms and standards;
- Warring parties have made concrete commitments to respect children's rights;

- Child protection provisions have been incorporated into peacekeeping mandates, training and reports;
- The role and deployment of Child Protection Advisers (CPAs) in peacekeeping operations has been established;
- Regional organizations have integrated child protection into their own agendas;
- Children's issues have been incorporated into peace negotiations and peace accords;
- There is higher priority for, focus on and resource allocation to children in post-conflict policies and programmes;
- Consensus has developed on a framework for the protection and participation of children in judicial tribunals and truth-seeking processes;
- The certification scheme established to curb trade in conflict diamonds serves to mitigate the deleterious impact of the trade on children;
- A major movement of advocacy and programme activities has developed among NGOs;
- The role and importance of indigenous protective cultural norms have received renewed attention and focus;
- Increasingly, children themselves are participating in building peace;
- A research consortium on children and armed conflict has been established;
- Many local initiatives for advocacy and protection have been developed;
- Mainstreaming of this agenda has taken hold in many institutions and mechanisms, within and outside the United Nations.

5. In reviewing developments since her report, Graça Machel has stated:

> "There has indeed been great progress in many areas ... One of the crucial recommendations in the original report has been fulfilled beyond expectation with the appointment of Mr. Olara Otunnu as the Special Representative of the United Nations Secretary-General for Children and Armed Conflict. His advocacy on behalf of war-affected children has raised the profile of this issue to the extent that it is now placed firmly on the international peace and security agenda."[1]

6. In 2002, the Special Representative was awarded the German Africa Prize in recognition of his work under the mandate. In presenting the award, the President of the Federal Republic of Germany, Mr. Johannes Rau, stated, "You have achieved a great deal as an advocate for children. You have been instrumental in placing the subject of war-affected children on the agenda at the United Nations."

7. In spite of this progress, the situation in war zones remains grave and precarious for millions of children who continue to be the main victims of today's warfare. Their suffering bears many faces: children are being maimed, killed, orphaned, subjected to systematic sexual violence, uprooted from home and country, deprived of education and health care, and exploited as combatants. The progress noted above must be translated into an impact on the ground.

III. Advocacy activities and initiatives

A. Developing and strengthening norms and standards

8. Working closely with Governments, United Nations partners and NGOs, the Special Representative has played an important advocacy and facilitating role in campaigns that have culminated in new instruments and norms. In particular:

(a) *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*.[2] This sets an age-limit of 18 years for compulsory recruitment and participation in hostilities and a minimum age of 16 years for voluntary recruitment. It prohibits insurgent armed groups — "under any circumstances" — from recruiting persons under the age of 18 or using them in hostilities. The Special Representative, working with concerned Governments and NGOs, was actively engaged in the protracted campaign and deliberations that led to consensus on the protocol. The Coalition to Stop the Use of Child Soldiers played a key role in the success of this project;

(b) *Rome Statute of the International Criminal Court*.[3] The Special Representative proposed three child-specific provisions, all of which have been classified as war crimes under the statute, namely, the conscription, enlistment or use in hostilities of children younger than 15 years of age; intentional attacks on hospitals and schools; and grave acts of sexual violence. In addition, the forcible transfer of children of a group targeted for intentional destruction constitutes genocide under the statute of the International Criminal Court;

(c) *International Labour Organization Convention 182*. This classifies child soldiering as one of the worst forms of child labour and prohibits the forced or compulsory recruitment of children under the age of 18 for use in armed conflict. The Special Representative worked closely with the leadership of the International Labour Organization (ILO) to ensure this provision;

(d) *African Charter on the Rights and Welfare of the Child*. This is the first regional treaty establishing 18 years of age as the minimum age for all compulsory military recruitment and participation in hostilities. The Special Representative canvassed African Governments to promote the ratification of the charter. He has since established a framework of support and collaboration with the chairperson of the monitoring body;

(e) *Security Council resolutions*. There are four Security Council resolutions to date devoted to the protection and rehabilitation of children affected by armed conflict:

- 1261 (1999) affirms that the protection and well-being of war-affected children constitutes a fundamental peace and security concern which belongs on the agenda of the Security Council. It also enunciates basic principles for their protection;
- 1314 (2000) sets out specific action-oriented measures;
- 1379 (2001) strengthens the measures provided for in resolution 1314 (2000) and makes them more targeted. Moreover, the resolution establishes the

practice of monitoring and reporting by requesting a list of parties that brutalize children;

- 1460 (2003) broadens the scope for monitoring and reporting, stipulates that all country-specific reports should include sections on children, and endorses the call for "an era of application".

9. Other important developments include the 1999 Ottawa Convention on landmines; peace accords such as those in Burundi, Liberia, Northern Ireland and Sierra Leone, and concrete commitments made to the Special Representative by parties to conflict.

10. In addition to the formal international standards listed above, the Special Representative has strongly advocated the strengthening of indigenous cultural norms that have traditionally provided protection for children in times of war. He has called this the "second pillar of protection" that must complement and reinforce international standards.

11. The above constitutes an impressive body of standards. But the promise of these standards must be translated into a protective regime on the ground. Words on paper cannot protect children in peril. Proposals on this are discussed in section VII below.

B. Working to end impunity

12. The Special Representative has worked to integrate child-specific concerns into post-conflict truth and justice mechanisms in order to end impunity for war crimes against children and bring those responsible to justice. In Sierra Leone, he initiated collaborative efforts with the Office of Legal Affairs, UNICEF, OHCHR, NGOs and the United Nations Mission in Sierra Leone (UNAMSIL), leading to guidelines for the Special Court for Sierra Leone and the Truth and Reconciliation Commission on the protection and participation of children. In Rwanda, concerned by the large numbers of detainees, including children, awaiting trial, the Special Representative supported and encouraged reinstating the practice of *gacaca*, a traditional method of justice rooted in the local community, in order to expedite the judicial process. The *gacaca* adjudication process was launched in 2002 and has since been reviewed by the Office of the Special Representative.

13. In connection with drafting the rules of evidence and procedure of the International Criminal Court, the Office of the Special Representative convened a steering group to provide inputs, including the appointment of child support persons to facilitate the participation and protection of children. The Office participated in the Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises, which has proposed the incorporation of six core principles into the codes of conduct of humanitarian operations. The Special Representative has strongly advocated the exclusion of all grave crimes against children from amnesty provisions and legislations arising from peace agreements.

C. Incorporating child protection into the peace and security agenda

Placing children on the agenda of the Security Council

14. Since the first public debate devoted to this issue in June 1998, the progressive engagement of the Security Council has yielded significant gains for children. Since 1999 there have been four resolutions devoted to this issue. Beginning in 1998, there has been an annual review and debate in the Security Council. Annual reports by the Secretary-General, which are prepared by the Office of the Special Representative as the focal point, have been presented to the Council. Child protection has been incorporated into peacekeeping mandates, training, and reports. Children have participated directly in the deliberations of the Council. Child-specific concerns have been incorporated into the briefs of the Council's fact-finding missions. An important contribution to monitoring and reporting has been made through listing those parties to conflicts that continue to violate the rights of children. The Special Representative has played a critical role in advocating and making proposals which have shaped these developments.

Integrating the concerns of children into peacekeeping operations

15. In 1999, the Special Representative proposed that, as a general policy, child protection should be integrated into the mandate, training and reports of peacekeeping missions. He also proposed the creation of the role and deployment of child protection advisers. These elements have now been incorporated and translated into practice.

Child protection advisers: The establishment of the role and deployment of CPAs represents an important innovation. Their role is to ensure that the child protection dimension of peacekeeping operations is implemented and to advise the head of a mission about the concerns of children. The Office of the Special Representative, the Department of Peacekeeping Operations and UNICEF have worked together to draw up the terms of reference and a roster of qualified personnel for deployment as CPAs. So far, CPAs have been deployed in peace missions in Angola, Côte d'Ivoire, the Democratic Republic of the Congo and Sierra Leone.

Working groups on child protection: The Office of the Special Representative initiated the establishment of two working groups on child protection, co-convened with the Department of Peacekeeping Operations, UNICEF and Radda Barnen, and the Department of Peacekeeping Operations, the Department of Political Affairs and UNICEF, respectively. The first working group on child protection training for peacekeeping personnel has drafted a complete training package on child rights and protection, for use by personnel in all United Nations peace operations. The second working group on the incorporation of child protection in United Nations peacemaking, peacekeeping and peace-building processes is producing tools and guidelines aimed at strengthening child protection in all phases of peace processes. This working group has now drafted a set of three guidance texts which are in the process of being finalized.

Child protection in country reports: In its resolution 1460 (2003), the Security Council stipulated the systematic inclusion of sections devoted to children in country-specific reports. The Special Representative, together with the heads

of the Department of Peacekeeping Operations and the Department of Political Affairs, have sent a joint communication to heads of all peace missions, calling for implementation of this provision.

D. Field missions: promoting protection and rehabilitation on the ground

Objectives and outcome

16. Field visits, both in ongoing and post-conflict situations, have served as very effective vehicles for advocacy and action. The Special Representative has used field missions to assess and report first-hand on the situation of children, raise public and official awareness of their plight, obtain commitments from parties to conflict, promote and support local initiatives and capacity-building, and mainstream the agenda with United Nations country teams.

Choice of countries

17. In consultation with United Nations country teams and national authorities, the Special Representative determines the countries and priority for visits in light of several factors, including the gravity of the situation for children, opportunities to make a difference, for example, by obtaining commitments from parties or inserting children's concerns in an ongoing peace process, and the need to draw national and international attention to a neglected tragedy. Initial suggestions for visits often emanate from United Nations country teams and NGOs. The timing of visits may also depend on political and other developments on the ground. Such developments, for example, occasioned the postponement of visits planned for Myanmar and Sri Lanka in 2003, and a visit to the occupied Palestinian territories remains under consideration.

18. The Special Representative has undertaken 26 field visits during his mandate. Such missions have included Afghanistan, Albania, Angola, Burundi, Colombia, the Democratic Republic of the Congo, Ethiopia, Eritrea, Guatemala, Guinea, Kenya, Kosovo, Liberia, Mozambique, Northern Ireland, the former Yugoslav Republic of Macedonia, the Russian Federation, including Chechnya, Rwanda, Sierra Leone, Sri Lanka and the Sudan. Some countries were visited more than once to follow up on initiatives from previous missions. An equal number of field missions have been conducted by staff. In several other situations, such as Myanmar, the occupied Palestinian territories, Nepal, Chiapas (Mexico), Iraq, Aceh (Indonesia) and northern Uganda, where visits have not taken place, the Special Representative has remained engaged through advocacy, initiatives and monitoring action.

Planning and programmes

19. The Special Representative seeks inputs from national authorities, United Nations partners and NGOs. Consultations take place with United Nations country teams before, during, and after the visits, and outcomes are reviewed to determine follow-up. The United Nations country team is the principal partner and implementer of country-specific recommendations. Following the visits, the Special Representative conducts briefings for governments, United Nations partners, NGOs and the media.

Agenda for action

20. Following each of the visits, the Special Representative proposes an agenda for action for protection and rehabilitation, containing recommendations for action addressed to national authorities, United Nations partners, NGOs and the donor community. In a post-conflict situation, an agenda for action focuses on making the concerns of children a central component of any rehabilitation and reconstruction programmes, with emphasis on the key issues of education, basic health care, nutrition, the rehabilitation of child combatants and the special needs of girls.

E. Obtaining commitments from parties to conflicts

21. The Special Representative has engaged in dialogue with various parties to conflicts, both governments and insurgency groups, eliciting and obtaining concrete commitments from parties to refrain from using children as child soldiers and releasing those recruited or abducted, negotiating humanitarian ceasefires to allow for feeding and immunization, gaining access for humanitarian relief, and ensuring that displaced populations are protected. On most occasions, it was the first time that parties to conflict had undertaken to observe humanitarian and human rights standards. Examples of such commitments include:

- In Sri Lanka in 1998, the Liberation Tigers of Tamil Eelam committed not to use children under 18 years of age in combat and not to recruit those under 17 years of age. These commitments became important benchmarks for UNICEF and NGO advocacy groups. In the recent peace talks in Thailand, the Liberation Tigers have reaffirmed their intention to implement these commitments;
- In 1998 and 1999, the Sudanese Government committed to allowing humanitarian access to the Nuba mountains, which took place in June 1999;
- In the Democratic Republic of the Congo in March 1999, the Special Representative negotiated a humanitarian ceasefire with the Congolese Rally for Democracy, which paved the way for immunization and feeding by UNICEF and the World Health Organization;
- In Colombia, during the visit of the Special Representative in June 1999, the President announced an immediate end to all recruitment into and the discharge of all persons under 18 years of age from the army; by the end of that year, all soldiers under 18 years of age had, in fact, been discharged from the army;
- In Sierra Leone in 1999, the Special Representative secured commitments from the Revolutionary United Front to allow humanitarian access and the release of abducted children and child soldiers, while the Civil Defence Force committed to the non-recruitment and the demobilization of child soldiers. These commitments were successfully monitored and followed through by UNAMSIL and UNICEF;
- In the Democratic Republic of the Congo in June 2001, the Special Representative obtained the commitment of all political and military leaders to a five-point plan of action for ending child soldiering. The United Nations

Organization Mission in the Democratic Republic of the Congo and UNICEF have followed up on this commitment.

22. Altogether, the Special Representative has received some 60 commitments from 15 parties. Although they have all become important advocacy benchmarks, a number of these commitments remain unobserved. As with other standards, the challenge is to ensure systematic monitoring and the application of pressure for enforcement.

F. Incorporating children's concerns into peace negotiations and accords

23. If the concerns of children are overlooked in the very first stages of peacemaking, post-conflict recovery and rehabilitation programmes often provide inadequate attention and resources to them. The Special Representative has worked to incorporate children's concerns into peace negotiations and has proposed specific provisions for inclusion into peace accords.

24. The Good Friday Agreement in Northern Ireland (1998) was the first peace accord to explicitly include children's concerns. Working with Mwalimu Julius Nyerere, then facilitator of the Burundi peace process, the Special Representative proposed several child-specific provisions that were included in the Arusha accords of August 2000. He also facilitated the participation of women's groups in Burundi in the negotiations. In Sierra Leone, the Special Representative's proposal on children was included in the 1999 Lomé Peace Agreement. Recently, the Special Representative worked with the Special Representative of the Secretary-General for West Africa, with the Economic Community of West African States (ECOWAS) and UNICEF to ensure incorporation of the protection and rehabilitation of children in the peace agreement for Liberia (August 2003). Meanwhile, in current conflict situations, such as in Colombia, Sri Lanka and the Sudan, the Special Representative has worked to ensure that children's concerns are inscribed on the agendas of ongoing peace negotiations.

G. Robbing children of their birthright

25. The pillage of natural resources in conflict zones, particularly diamonds, gold, timber and coltran, has financed the war machines that brutalize children. The Special Representative has worked to raise the profile of this issue — particularly in Angola, the Democratic Republic of the Congo and Sierra Leone — and has drawn attention to the fact that resources that should provide for children's rehabilitation, education and health care are instead being plundered. The Special Representative has joined hands with NGOs and youth groups to mount a campaign against trade in conflict diamonds. The Kimberley Process Certification Scheme for Rough Diamonds, agreed to in November 2002 by producer countries, diamond-mining and diamond-dealing companies, is an important step towards ending trade in conflict diamonds.

26. The Special Representative has called for targeted measures against parties to conflict and other complicit actors responsible for such plunder. The Security Council has taken action in the context of Angola, the Democratic Republic of the

Congo, Liberia and Sierra Leone to demonstrate its commitment to curbing the illicit exploitation of natural resources in conflict zones.

H. Developing local initiatives and strengthening local capacity

27. The Special Representative has devoted particular attention to promoting and supporting the development and strengthening of local initiatives for advocacy, protection and rehabilitation. This is the best way to build local capacity and ensure long-term sustainability for this agenda. In 1999, the Special Representative proposed the idea of establishing national commissions for war-affected children, especially in post-conflict situations, to ensure that the concerns of children are fully integrated into priority setting, resource allocation, programme planning and policy-making. Such a commission has now been established in Sierra Leone and a Commissioner for Children has been appointed in Northern Ireland to play a similar role. Another initiative launched by the Special Representative, the "Voice of Children" project, has now become operational in Sierra Leone. In Rwanda, the Special Representative encouraged the Government to enact legislation allowing girls to inherit farms and other family properties. This law, which came into effect in 2000, was crucial for the survival of some 45,000 child-headed households, 90 per cent of them headed by girls, following the 1994 genocide.

28. During all his country visits, the Special Representative has advocated and promoted the strengthening of local child protection networks. In Liberia, an Eminent Persons Group composed of elders, educators, business persons, advocates, religious and civil society leaders, was formed for the protection of children. The Special Representative promoted and supported the establishment of Sudanese Women for Peace, a non-partisan grass-roots peace initiative advocating, inter alia, children's concerns. In Sri Lanka, the Special Representative supported the formation of and launched, during his visit in 1998, Children as a Zone of Peace, which is a local network for advocacy and protection.

I. Reporting to United Nations bodies

29. The Special Representative has monitored and reported on the situations of children affected by armed conflict around the world. He has submitted annual reports to the General Assembly and the Commission on Human Rights, and prepared and disseminated country reports following his field visits. The Special Representative is the focal point for preparing the annual report of the Secretary-General to the Security Council. His advocacy in this context led to the first official report to list parties to conflict who violate the rights of children. This has sent an important message to Governments and insurgency groups alike that the international community will hold them accountable for their actions against children. As discussed in section VII below, the Special Representative has now put forward specific proposals to ensure more systematic monitoring and reporting.

IV. Media and public awareness-raising

30. The Special Representative has undertaken extensive public advocacy and media outreach activities. This has greatly raised the levels of public and official awareness about the plight of war-affected children.

A. Media outreach

31. Engaging the media has been a particularly effective tool for advocacy and awareness-raising. The Special Representative has undertaken extensive media outreach activities, through radio, television and the printed and online media. He has regularly briefed the international media after every field mission. Local media have prominently covered his activities during these visits as well.

Print media

32. Articles, opinion pieces and editorials on the work of the Special Representative have regularly appeared in influential newspapers and magazines, including: *New York Times*, *Washington Post* (USA); Toronto *Globe and Mail* (Canada); *Le Monde*, *Le Nouvel Observateur* (France); *People* magazine; *Yomiuri Shimbun* (Japan); *Der Spiegel* (Germany); *Die Presse* (Austria); *Economist* (United Kingdom); *Newsweek*, *West Africa* magazine; *Africa Confidential*, *Independent* (United Kingdom); *East African*; *Africa International* magazine (France); *Izvestia* (Russian Federation); *Berlingske Tidende* (Denmark); *Le Soir* (Belgium); *Riyadh Daily* (Saudi Arabia); *Mail & Guardian*, *Sowetan* (South Africa); and *Sify News* (India).

Television

33. On television, the Special Representative has appeared regularly on channels such as CNN and BBC World, on programmes, such as *Q & A* and *Your World Today*, *Newshour with Jim Lehrer* (United States), *Hard Talk with Tim Sebastian* (BBC World TV) and *Newsnight* (BBC 2), and on other channels such as CBS, CBC (Canada), ABC (Australia), NBC, NHK (Japan), SABC (South Africa), on Dubai TV, Sky News (United Kingdom), C-Span (United States of America), United Nations TV and ZDF German Television.

Radio

34. On radio, the Special Representative has been a regular guest on BBC World Service programmes such as *Newshour*, *Talking Point*, *The World Today*; and major broadcasting networks, including BBC Radio 4, National Public Radio (United States), NHK Radio (Japan), RFI, VOA, Deutsche Welle, Radio Nederland International, Channel Africa and Africa Number One.

Agencies and online reporting

35. Extensive coverage by news agencies and through online reporting include: AllAfrica.com; AFP; AP; BBC Online; Reuters; DPA; IPS; NHK; Xinhua; IRIN; Lusa News Agency (Portugal); PANA; Itar-Tass; Interfax; ANGOP; Relief Web; Le Monde *online*; and News 24 (South Africa).

Special productions and documentaries

36. The Special Representative has facilitated and collaborated in the production of several feature films and radio programmes. These include *Children of Conflict* and a *World of Children* (BBC World Service series); *Children in Arms* (BBC Radio 4, profile of the work of the Special Representative, which won a One World Broadcasting award); *Visionaries, Suffer the Children* (BBC Radio 4 profile); *Children in War* and *Child Soldiers* (HBO documentaries); *Armed and Innocent* (documentary film sponsored by the Office of the Special Representative and featuring Robert de Niro, which won an award and found worldwide distribution); *What's Going On?* (documentary by United Nations Works/Showtime on child soldiers in Sierra Leone, featuring Michael Douglas).

B. Web site

37. The web site of the Office of the Special Representative (www.un.org/children/conflict) has an interactive architecture and user-friendly features including maps, videos and visual reports.

C. International conferences

38. The Special Representative has collaborated and participated in major international conferences. These conferences, which have served to raise awareness and mobilize action, include: London Symposium on Children Affected by Armed Conflict (1998); Asia-Pacific Regional Symposium on Children and Armed Conflict, Tokyo (1998); German UNICEF Committee on the Convention on the Rights of the Child (1999); Spanish UNICEF Committee "Child Soldiers: Legal consequences for impunity and criminality" conference (1999); West Africa Ministerial Conference on War-affected Children, Accra (2000); Organization for Security and Cooperation in Europe (OSCE) Human Dimension Seminar in Warsaw (2000); Winnipeg International Conference on War-affected Children (2000); European Union (EU) Seminar on children affected by armed conflict and displacement, Stockholm (2001); Redd Barna symposium in Oslo (2001); World Conference on Religion and Peace Conference in Cordoba (2002); Commonwealth Conference in London (2002); "Children in Cross-fire" Conference in Washington (May 2003); World Association of Children's Friends conference in Monaco (April 2003). The Coalition to Stop the Use of Child Soldiers organized several regional conferences.

V. Building collaboration with civil society: engaging non-governmental organizations, communities of faith and young people

A. Working with non-governmental organizations

39. The Special Representative has made it a priority to engage and collaborate closely with NGOs. They have played an indispensable role in the development and advancement of that agenda. The progress achieved to date is due in great measure

to the advocacy and programmes of NGOs. The Special Representative has supported advocacy campaigns led by the Coalition to Stop the Use of Child Soldiers, the International Action Network on Small Arms, the International Campaign to Ban Landmines and the Coalition for the International Criminal Court.

40. The Special Representative has worked closely with many international NGOs to support their advocacy and operational activities. These include CARE International, the Children's Defense Fund, the International Rescue Committee, the International Save the Children Alliance, Médecins sans Frontières, Médecins du Monde, the Norwegian Refugee Council, Oxfam International, the Quaker United Nations Offices, Refugees International, the Women's Commission for Refugee Women and Children, and World Vision International.

41. The Special Representative has built collaboration with major NGO networks such as the Sub-Group on Children in Armed Conflict; the Working Group on Children and Armed Conflict; the Child Rights Information Network; the Conference of Non-Governmental Organizations; InterAction; the International Council of Voluntary Agencies; the Leadership Council on Children in Armed Conflict; the Steering Committee for Humanitarian Response; the recently established NGO network focusing on monitoring and reporting, Watchlist; and UNICEF national committees, particularly in Germany, Japan and Spain.

42. The Special Representative has strongly supported local NGOs and other civil society groups, including women and youth, particularly during his field missions. Those groups are at the forefront of efforts to protect children, often in very trying conditions. They need more support from the donor community, United Nations agencies, and international NGOs, in order to build and strengthen their own capacities.

43. In July 2000, the Special Representative proposed and facilitated the first "Aria formula", an informal briefing between the Security Council and NGOs, on children and armed conflict, which now continues on a regular basis. In addition, the Special Representative has systematically sought NGO inputs for the annual reports of the Secretary-General to the Security Council.

B. Communities of faith

44. Recognizing their value as a source of moral authority and their worldwide network of humanitarian institutions and presence within communities, the Special Representative has sought the support and participation of faith-based organizations. He has developed a framework of cooperation with the World Council of Churches, which resolved to incorporate this issue as a significant part of their programme for the ecumenical Decade to Overcome Violence (2001-2010). The Holy See has provided strong support to the mandate through advocacy, joint public initiatives with the Special Representative, and the concerted engagement of the Catholic Church with local communities affected by conflict. The Special Representative has also held consultations with the Secretary-General of the Organization of the Islamic Conference and welcomed collaboration on this agenda.

C. Promoting empowerment and participation of young people

45. The Special Representative has encouraged the participation of young people at several levels. This has included providing platforms for them to share their experiences and views directly with policy and decision makers, promoting radio programmes for and by children, and strengthening youth-to-youth networks.

Children speaking for themselves

46. On two occasions, in 2001 and 2002, children from war-affected countries participated directly in the deliberations of the Security Council. In November 2002, the Special Representative and a child from a war-affected country jointly addressed the European Parliament. The Office has organized several public forums with children as the featured speakers, including during the special session of the General Assembly held in 2002 and jointly with the Mission of the Holy See to the United Nations in June 2001.

Voice of Children project

47. Voice of Children, an initiative of the Special Representative, has been successfully piloted in Sierra Leone. The project uses radio as a medium for education, information, social mobilization, dialogue, and entertainment for children in situations of conflict. Similar services have now been proposed for Afghanistan, Angola, Colombia and the Democratic Republic of the Congo.

Global peace schools project

48. In an effort to promote awareness of this agenda among schoolchildren through the use of curricula, the Special Representative developed the global peace schools initiative in collaboration with the Mohammad Ali Centre. The lesson plan, based on Jerry Piasecki's humanitarian novel, *Marie: In the Shadow of the Lion*, derived from true experiences of children exposed to war, has been piloted in secondary schools in several countries. Plans are under way to carry forward the project through major networks of NGOs and educators.

VI. Mainstreaming the agenda for children and armed conflict

49. The Special Representative has concentrated, in the first phase of mainstreaming within the United Nations, on the peace and security sector, the humanitarian and human rights sector, and on particular coordination mechanisms. Externally, priority has been placed on mainstreaming activities involving regional organizations, the NGO community, and the media.

A. United Nations

50. In the peace and security sector, mainstreaming efforts have focused on the Security Council, the Department of Peacekeeping Operations, and peacekeeping operations. Details of those activities are set out in section III above.

51. Systematic efforts have been made to integrate the agenda into selected United Nations coordination mechanisms, specifically through the Senior Management

Group; the Executive Committee on Peace and Security, the Executive Committee for Humanitarian Affairs, and the United Nations Development Group; and task forces and working groups such as those on Angola, Afghanistan, Colombia, the prevention of sexual exploitation, the protection of civilians, and transitional issues.

52. United Nations humanitarian agencies, particularly UNICEF, UNHCR, OHCHR and the Office for the Coordination of Humanitarian Affairs, have undertaken many initiatives to integrate this issue into their policies and programmes. The Special Representative has made specific proposals and held consultations on mainstreaming this agenda into the United Nations human rights regime, particularly the work of OHCHR, the Special Rapporteurs and the Committee on the Rights of the Child. The Commission on Human Rights includes the concerns of war-affected children in its deliberations on country-specific situations as well as in thematic areas such as HIV/AIDS, abducted children, and internally displaced persons. Special Rapporteurs and experts now devote particular attention to the issue. OHCHR, a key partner, is integrating the issue in its work by collaborating with the Special Representative on several initiatives such as the inclusion of the issue in its field manual and advocacy by its field staff.

53. The Special Representative has worked closely with the Committee on the Rights of the Child, providing background briefings before consideration of reports of several countries, including Colombia, the Democratic Republic of the Congo, Guatemala, Guinea-Bissau and Sierra Leone, leading to specific recommendations by the Committee. The Committee has called upon national human rights institutions in particular to cooperate with the Special Representative. In the next three years, the mainstreaming efforts described above will need to be consolidated and deepened, while similar efforts are extended to other selected areas. In particular, the Special Representative will collaborate with the World Bank and the United Nations Development Programme (UNDP) to mainstream the agenda concerning policies and programmes for post-conflict recovery; with the Department of Political Affairs in the context of peace negotiations and peace missions; and with ILO, focusing on combating child soldiering as one of the worst forms of child labour. In addition, priority will be given to mainstreaming the agenda into the Common Country Assessment/United Nations Development Assistance Framework, the Consolidated Appeals Process and Poverty Reduction Strategy Papers.

B. Integrating the protection of children affected by war into the agendas and programmes of regional and other international organizations

54. The Special Representative has given special priority to encouraging regional organizations to promote the incorporation of child protection into their agendas and programmes. Several initiatives have been developed.

African Union

55. Building on earlier initiatives, in 1999 the Assembly of Heads of State and Government of the Organization of African Unity adopted the Algiers Declaration, which reaffirmed the determination to combat all forms of child exploitation and to end child soldiering.

European Union institutions

56. Since early in the mandate, the Special Representative has devoted much attention to establishing strong cooperation with EU and its institutions. Working in close collaboration with the NGO Coalition for Children and Armed Conflict, based in Brussels, his objectives have been to encourage EU to make the protection of children affected by armed conflict a significant aspect of its own agenda, and to incorporate the issue in its international cooperation and aid policies.

57. Efforts have concentrated on developing initiatives in collaboration with four main bodies: the Council of Ministers; the European Commission; the European Parliament; and the African, Caribbean and Pacific-European Union (ACP-EU) framework of cooperation.

- *EU and Member States*: In December 2002, the General Affairs Council endorsed proposals by the Working Party on Human Rights of the Council of the European Union, calling for the development of a common strategy for EU action on children and armed conflict. This is a significant initiative, which will provide guidelines for the EU development policy. In July 2003, the Council of the EU adopted conclusions on cooperation between EU and the United Nations on crisis management which called for mainstreaming child rights and protection in EU-led crisis management operations.

- *European Commission*: The Special Representative has held regular consultations with EU Commissioners in Brussels, as well as with senior officials drawn from Directorates-General concerned with external relations, social affairs, development, humanitarian affairs, human rights and the management of aid to non-member countries. The European Commission is now funding projects for the benefit of war-affected children and its Humanitarian Aid Office has provided a grant to the research consortium.

- *European Parliament*: The European Parliament has played an important advocacy role for war-affected children and was particularly active in the campaign for the Optional Protocol. The Special Representative has addressed the European Parliament and consults often with its leadership.

- *ACP-EU cooperation*: The ACP-EU Partnership Agreement signed at Cotonou in 2000 has incorporated several elements proposed by the Special Representative at the Joint Parliamentary Assembly in March 1999. The agreement — the first of its kind specifically to designate children as beneficiaries — contains provisions for child protection and post-conflict rehabilitation. Work is under way, in collaboration with the Special Representative, on a comprehensive resolution to be submitted to the next Joint Parliament Assembly later this year.

Economic Community of West African States

58. Following a proposal by the Special Representative for a "neighbourhood initiative" in West Africa, the Ministers for Foreign Affairs of Canada and Ghana, together with the Special Representative and the Executive Secretary of ECOWAS, convened a conference of ECOWAS foreign and defence ministers in Accra in April 2000. Two important documents were adopted, the Accra Declaration and Plan of Action on War-Affected Children in West Africa.

59. The Special Representative proposed and assisted the ECOWAS Secretariat to establish a Child Protection Unit; the Unit was established in 2002. At present, the Special Representative and the UNICEF regional office are working on initiatives to strengthen the Child Protection Unit. At the ECOWAS Summit held at Dakar in January 2003, the Special Representative proposed an agenda for action for war-affected children in West Africa. The plan was endorsed by the Heads of State and will form part of the framework for the ECOWAS peer review summit devoted to child protection, scheduled for September 2003.

G-8 industrialized countries

60. In preparation for the summit of the G-8 industrialized countries held in Japan in 2000, the Special Representative made a submission and lobbied for the G-8 to take up the issue of children affected by armed conflict. In the ministerial declaration entitled "G-8 Miyazaki Initiatives for Conflict Prevention",[4] the plight of war-affected children was identified as one of the most disturbing human security issues of the day.

Human Security Network

61. At the ministerial meeting of the Human Security Network in Jordan in 2001, the Special Representative proposed a special focus on children and armed conflict. Under the presidency of the Minister for Foreign Affairs of Austria, this was adopted as a priority issue, leading to several concrete initiatives, including collaboration with the Special Representative in producing and disseminating a compendium of norms and standards for the protection of children affected by armed conflict.

League of Arab States

62. Following consultations, the Secretary-General of the League and the Special Representative have agreed on an agenda and framework for collaboration on this issue.

Organization for Security and Cooperation in Europe

63. At the OSCE Review Conference held at Istanbul in November 1999, the Special Representative proposed a 10-point agenda for dialogue with OSCE on children affected by armed conflict, building on earlier efforts by NGOs. In the declaration adopted at the Istanbul Summit and in the Charter for European Security, OSCE member States committed to developing and implementing measures to promote children's rights and interests, in particular their protection and rehabilitation in conflict situations. This led to an OSCE seminar in Warsaw in May 2000 devoted to children in armed conflict. These efforts progressively resulted in a draft Document on the Promotion and Protection of the Rights, Interests and Welfare of the Child, in particular of Children affected by Armed Conflict. Despite broad support for the document, it was not possible to achieve necessary consensus for its adoption. The Special Representative continues to promote the practical integration of this agenda into field activities of OSCE.

Organization of American States (OAS)

64. In June 2000, combined advocacy by the Special Representative, the Secretary General of OAS and the Minister for Foreign Affairs of Canada resulted in the General Assembly of OAS adopting a resolution on children and armed conflicts, which called on all parties to armed conflicts to respect international humanitarian law concerning children and support rehabilitation programmes. The Special Representative has also been working with the Inter-American Institute of Human Rights for integration of this agenda into its activities.

The Commonwealth

65. Following a proposal and canvassing by the Special Representative, the Heads of Government of the Commonwealth issued the Durban Communiqué of November 1999, which strongly condemned the targeting, abuse, recruitment and deployment of children in armed conflict, and called for an end to such practices.

C. Non-governmental organizations

66. Many NGOs have been at the forefront of efforts to mainstream this agenda. The Special Representative has strongly encouraged and supported initiatives to strengthen their advocacy and operational programmes for war-affected children. In addition, several campaigns by NGOs on issues concerning war-affected children, the use of landmines, child soldiers, and small arms, have been particularly effective. Similarly, major human rights organizations, such as Human Rights Watch and Amnesty International have strengthened their child rights programmes. A particularly significant development has been the growth of local NGOs and other civil society groups focusing on child protection and advocacy.

D. Media

67. As the details in section IV above illustrate, the extensive outreach to the media has led to significantly broader and deeper coverage and awareness of this issue.

E. Filling knowledge gaps: research consortium

68. Early on, the Special Representative identified the need to fill central gaps in knowledge available and to share knowledge concerning war-affected children, as crucial to strengthening both policy-making and programme response. In 2000, he proposed a research agenda entitled "The Impact of Armed Conflict on Children: Filling Knowledge Gaps", to focus on filling knowledge gaps in the following key areas: reliable data on children and armed conflict; current trends in warfare affecting children; the role of indigenous value systems that have traditionally protected children in times of war; assessment of the effectiveness of programmes, including "best practices", "lessons learnt", and indicators.

69. Following facilitation by the Office of the Special Representative, including extensive consultations and a major conference in Florence, Italy, the Research Consortium for Children and Armed Conflict was established under the coordination

of the Social Science Research Council in New York. During the first phase of its work, the Consortium will concentrate on: making an inventory of existing scholarly work and the development of methodological tools for generating data; examining the impact on children of organized violence and trends in warfare; and the role of cultural and local values in protection and rehabilitation.

VII. The way forward: an agenda for action

70. The agenda for action proposed below encompasses two interrelated challenges. The first is to ensure that the initiatives and gains which have begun to take hold over the last several years are pressed forward, consolidated and institutionalized. This is the only way to ensure their long-term sustainability. Some of the specific measures are summarized in the recommendations below.

71. The second and most pressing challenge is the imperative of embarking on the "era of application". Specific proposals concerning this are discussed below.

A. Recommendations: consolidating the gains

72. As reviewed above, important gains have been made in advancing this agenda. However, it is critical that action is taken to embed and deepen those gains, to ensure long-term sustainability and impact on the ground. Some of the specific actions necessary include the following:

- **Inclusion of children's concerns in peace accords and the mandates of all peacekeeping missions and the deployment of CPAs in all peace operations.**
- **Member States, which have not already done so, are urged to ratify the relevant following instruments, particularly the Rome Statute of the International Criminal Court, the Optional Protocol, and ILO Convention No. 182.**
- **Following the establishment of the International Criminal Court, specific steps should now be taken to ensure that persons responsible for crimes against children will be among the first to be prosecuted in the Court.**
- **Regional organizations should be encouraged to strengthen their activities for war-affected children, particularly advocacy, "neighbourhood initiatives", and monitoring and peer review.**
- **The victimization of children is often exacerbated by cross-border activities, such as the flow of arms, the recruitment and abduction of children, and the displacement of populations; appropriate "neighbourhood initiatives" should be developed to combat that phenomenon.**
- **Targeted measures should be taken against those responsible for egregious violations against children; such measures should include the imposition of travel restrictions on leaders and their exclusion from any governance structures and amnesty provisions, a ban on the export or supply of arms,**

and a restriction on the flow of financial resources to the parties concerned.

- **Targeted measures should also be taken against those responsible — and other complicit actors — for the illicit exploitation of natural resources.**
- **The development and strengthening of local and subregional civil society networks, focusing on advocacy, protection and monitoring, is crucial. This is the best way to ensure local ownership and sustainability; such efforts merit and require enhanced international support.**
- **It is critical to reclaim and strengthen indigenous cultural norms that have traditionally provided for the protection of children in times of war.**
- **The rehabilitation and development of children must become a central component of all post-conflict programmes — investing in children and youth is the best way to ensure long-term peace and deterrence of radical indoctrination that often leads to participation in conflict.**

B. Campaign for the "era of application"

73. The call to embark on the "era of application" has constituted a leitmotif in the advocacy of the Special Representative from the beginning of the mandate. He has urged the international community to redirect its energies from the normative task of the elaboration of standards to the enforcement mission of ensuring their application on the ground. That idea was endorsed by the Senior Management Group in 1999, leading to a United Nations system-wide review. In his annual report to the Security Council in 2002, the Secretary-General stated "Dissemination, advocacy, monitoring and reporting are the key components that an 'era of application' must encompass. My Special Representative will be devoting particular attention to these issues."[5] In its resolution 1460 (2003), the Security Council endorsed the call for embarking on the "era of application".

74. The Special Representative has now put forward specific proposals entitled "Embarking on the era of application: proposals to ensure systematic monitoring and reporting for the protection of children affected by armed conflict." The proposals will serve as a catalytic basis for broad consultations among all stakeholders. Today, embarking on a systematic campaign for the "era of application" is the most important and urgent enterprise for all who wish to ensure the protection, rights and well-being of children exposed to armed conflict. The campaign encompasses the following components: advocacy and dissemination; monitoring and reporting; developing local civil society networks for advocacy and protection; and mainstreaming this agenda into the programmes and mechanisms of key institutions.

Advocacy and dissemination

75. A broad base of awareness has been built on this issue. However, a major public awareness campaign, utilizing the most effective means of modern communications, is now necessary to transform the present base of knowledge into a critical mass of awareness, leading to outright repudiation of the abominations being committed against children in war situations.

Monitoring and reporting

76. Ensuring systematic, integrated and concerted monitoring and reporting constitutes the core of the campaign for the "era of application". The proposals by the Special Representative seek to address some of the key questions that arise in this regard.

- *Which standards constitute the basis for monitoring?* Section III, paragraphs 8 to 11 above, provides a list and the provisions of internationally agreed standards that now constitute the basis for monitoring the conduct of parties to conflict in relation to the protection of war-affected children: the Optional Protocol; the Rome Statute for the International Criminal Court; ILO Convention No. 182; Security Council resolutions; peace accords; and concrete commitments made to the Special Representative. In addition, there are the relevant provisions of the Geneva Conventions and the Convention on the Rights of the Child. These standards are specific and provide well-defined yardsticks for monitoring and reporting on violations against children in situations of armed conflict.

- *Which violations should be monitored?* A number of especially egregious violations against children should receive priority attention. These include, but are not limited to: recruiting and using child soldiers; maiming and killing children; subjecting children to sexual violence; the illicit exploitation of natural resources; denial of access and basic services to children in distress, particularly displaced communities; and the abduction of children.

- *Who undertakes the monitoring and reporting?* The proposals by the Special Representative advocate the development of concerted efforts through a network of actors, each of whom would bring the "value added" represented by their respective areas of jurisdiction, competence and expertise. These actors include: the Security Council; United Nations peace operations; United Nations country teams; the United Nations human rights regime, particularly OHCHR and their field staff, the Special Rapporteurs, and the Committee on the Rights of the Child; regional organizations; national Governments; international and local NGOs; and the International Criminal Court.

Developing and strengthening local civil society networks

77. The development and strengthening of the capacity of civil society networks at national and subregional levels is aimed at advocacy, protection and monitoring. This endeavour, which is the best way to ensure local ownership and sustainability, requires enhanced support and assistance by international partners.

Mainstreaming the agenda

78. It is critical that efforts are intensified to mainstream the protection and rehabilitation of this agenda into key institutions and mechanisms within and outside the United Nations. The efforts described in section VI above and the measures identified in section VII, paragraph 71, need to be strengthened and deepened.

VIII. Conclusion

79. The struggle to ensure the protection, rights and well-being of children exposed to armed conflict has reached a watershed moment. At the normative level, there is now in place an impressive and comprehensive body of instruments, norms and commitments, which provide powerful tools for advocacy and a well-defined basis for enforcement.

80. At the level of application and enforcement, the international community possesses today, as never before, the means and collective influence that can be brought to bear on parties in conflict to ensure the observance of these standards on the ground. Yet the reality on the ground today is that, in so many conflict situations worldwide, children continue to be abused and brutalized on a massive and horrendous scale. The most pressing challenge therefore facing the international community is to galvanize and unify these two assets — normative tools and the power of collective influence — into a coherent and concerted project — an effective regime of protection for war-affected children. This is the purpose of the agenda for action proposed in the present report.

81. In today's world, parties in conflict do not operate as islands unto themselves. The viability and success of their political and military projects depend crucially on networks of cooperation and goodwill that link them to the outside world — in their immediate neighbourhood as well as to the wider international community. In this context, the force of international and national public opinion, the search for acceptability and legitimacy at national and international levels, international accountability as represented, for example, by the International Criminal Court and ad hoc tribunals, external provision of arms and financial flows, illicit trade in natural resources, the growing strength and vigilance of international and national civil societies, and media exposure — all these represent powerful means to influence the conduct of parties in conflict.

82. The core task is to establish a systematic and integrated monitoring and reporting network that can provide objective, regular and accurate reports on violations being committed against children. Such reports should, in turn, serve as "triggers for action" on the part of various international, regional and local bodies, mechanisms and actors, each employing all means and levers of influence at their disposal for the protection of war-affected children.

83. The evolution and dynamics discussed in the present report underscore a watershed development — that the international community now has what it takes to reverse the trend of abominations against children exposed to war. It is now a matter of choice and will. The realization of this goal will require serious engagement of political will and concerted action on the part of international and local stakeholders, working within a framework of collaboration and a spirit of common purpose. It is in this context, during the next three years, that the Special Representative will focus advocacy and facilitation on a campaign for the "era of application", and on ensuring mainstreaming and long-term sustainability for the gains and initiatives described in the present report.

Notes

[1] Introduction to ***The Impact of Armed Conflict on Children: A critical review of progress made and obstacles encountered in increasing protection for war-affected children.***

[2] General Assembly resolution 54/263, annex I.

[3] See *Official Records of the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, Rome, 15 June-17 July 1998*, vol. I: *Final documents* (United Nations publication, Sales No. E.02.I.5), sect. A.

[4] See A/55/161-S/2000/714, annex.

[5] S/2002/1299, para. 68.